

Steven F. Alder (#00033)
Emily E. Lewis (#13281)
Assistants Utah Attorney General
1594 West North Temple St. #300
Salt Lake City, Utah 84118
Telephone (801) 538-5348

FILED

APR 05 2012

**SECRETARY, BOARD OF
OIL, GAS & MINING**

**BEFORE THE BOARD OF OIL, GAS & MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH**

In the Matter of the Petition of Living Rivers
for Review of the Division's Conditional
Approval of Red Leaf Resources' Notice of
Intention to Commence Large Mine
Operations for the Southwest #1 Mine.

**STIPULATION
TO AN ORDER REGARDING
PRE-HEARING PROCEDURES**

Docket No. 2012-017

Cause No. M/043/0103

The Utah Division of Oil, Gas and Mining ("Division"), Intervener Red Leaf Resources ("Red Leaf"), and Petitioner Living Rivers, through their respective counsel hereby STIPULATE to an ORDER by the Board of Oil, Gas and Mining ("Board") providing for a pre-hearing schedule for the exchange of documents, briefing, and setting June 27, 2012 as a hearing date before the Board for this matter. The parties have entered into this STIPULATION, subject to the approval of the Board ORDER, to proceed with this matter in a speedy and orderly manner.

The parties hereby stipulate as follows:

1. On or before April 17, 2012 the Division and Red Leaf will file Responses to Petitioner's March 19, 2012 Petition.
2. On or before May 11, 2012 the parties will exchange with each other a list of expert witnesses who will file an expert report with the Board and/or may be called at the June 27, 2012 hearing. The information exchanged will comply with Utah R. Civ. P. 26(a)(4)(A).
3. On or before May 25, 2012, the parties will file with the Board expert report authored by the previously identified experts. The expert reports will comply with Utah R. Civ. P. 26(a)(4)(B).

4. On or before June 11, 2012 the parties will file with the Board any prehearing briefs or motions.
5. On or before June 20, 2012 the parties will file with the Board Responses to any prehearing briefs or motions.
6. On June 27, 2012 the Board will hear this matter at its regularly scheduled hearing.

The forgoing STIPULATION is approved by the signature of counsel as of the date shown.

Dated: 4/4/12

LIVING RIVERS

BY: [Signature]
Western Resource Advocates
Rob Dubuc
Joro Walker
150 South 600 East, Suite 2AB
Salt Lake City, Utah 84102
Telephone: (801) 487-9911

Dated: April 13, 2012

RED LEAF RESOURCES

BY: [Signature]
Snell & Wilmer, LLP
Denise A. Drago
James P. Allen
15 West South Temple, Suite 1200
Salt Lake City, Utah 84101
Telephone: (801) 257-1900

Dated: April 5, 2012

DIVISION OF OIL, GAS AND MINING

BY: [Signature]
Steven F. Alder
Emily E. Lewis
Assistant Utah Attorney General
1594 West North Temple Suite #300
Salt Lake City, Utah 84118
Telephone: (801) 538-7227

**BEFORE THE BOARD OF OIL, GAS & MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH**

In the Matter of the Petition of Living Rivers
for Review of the Division's Conditional
Approval of Red Leaf Resources' Notice of
Intention to Commence Large Mine
Operations for the Southwest #1 Mine.

**ORDER REGARDING
PRE-HEARING PROCEDURES**

Docket No. 2012-017

Cause No. M/043/0103

Pursuant to the STIPULATION of the parties, the Board of Oil, Gas, and Mining enters the following ORDER Regarding Pre-Hearing Procedures for the titled matter.

1. On or before April 17, 2012 the Division and Red Leaf will file Responses to Petitioner's March 19, 2012 Petition.
2. On or before May 11, 2012 the parties will exchange with each other a list of expert witnesses who will file expert report with the Board and/or may be called at the June 27, 2012 hearing. The information exchanged will comply with Utah R. Civ. P. 26(a)(4)(A).
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4. On or before June 11, 2012 the parties will file with the Board any prehearing briefs or motions.
5. On or before June 20, 2012 the parties will file with the Board Responses to any prehearing briefs or motions.
6. On June 27, 2012 the Board will hear this matter at its regularly scheduled hearing.

The forgoing ORDER is entered this ____ of April, 2012.

BOARD OF OIL, GAS & MINING

JAMES T. JENSEN, CHAIR